IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NOs : 18319 of 2002 18324 of 2002,19026 of 2002,11777 of 2003,4836 of 2004,4849 of 2004 and 4863 of 2004.

W.P.NO.18319 OF 2002

Between:

1 N. Sudhakar S/o Mallaiah, aged about 25 yrs
R/o H. No. 11-16/1/A, Bagathsingnagar,
Saroornagar, Ranga Reddy District
2 B. Ramulu S/o Muthaiah, aged about 32 yrs
R/o H. NO. 3-5-81, RIC Colony,
L.B. Nagar, RAnga Reddy District
3 K. Yadaiah S/o Ramachandram, aged about 32 yrs
R/o H. No. 11-16-86/1, Bagathsingnagar, Saroornagar,
Ranga Reddy District

----PETITIONERS

AND

The Regional Manager
APSRTC. Hyderabad City Region, JBS, Picket,
Secunderabad,

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not considering the petitioners candidature to the post of Driver Gr.11 in Hyderabad city Region (HCR) and cancelling their selections on the ground that

the petitioners not responded to the call (News paper) of APSRTC Management to work in October/November, 2001 is as bad, arbitrary, illegal unjust and violation of the principles of natural justice by setting aside the letter No. D2/684(3)/99-HCR, dated 28-8-2002 of the respondent herein and consequently direct the respondent to consider the case of the petitioners for appointment of Driver Gr.11 in APSRTC, Hyderabad City Region (HCR).

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondent: MR.VTM PRASAD, STANDING COUNSEL FOR APSRTC

W.P.NO.18324 OF 2002

Between:

1 A.Mallesh, son of Venkataiah,

aged about 38 yrs,, unemployee,

resident of H.No.2-63, Inamguda

village, Batasingaram post, Hayathnagar

Mandal, Ranga Reddy district.

2. P.Sanjeev Kumar son of Buchaiah, aged

about 25 yrs,unemployee, resident of

Kuntlur village,Hayatnagar mandal,

Rangareddy district.

----PETITIONERS

AND

The Regional Manager
APSRTC. Hyderabad City Region, JBS, Picket,
Secunderabad,

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not considering the petitioners candidature to the post of Driver Gr.11 in Hyderabad city Region (HCR) and cancelling their selections on the ground that

the petitioners not responded to the call (News paper) of APSRTC Management to work in October/November, 2001 is as bad, arbitrary, illegal unjust and violation of the principles of natural justice by setting aside the letter No. D2/684(3)/99-HCR, dated 24-7-2002 of the respondent herein and consequently direct the respondent to consider the case of the petitioners for appointment of Driver Gr.11 in APSRTC, Hyderabad City Region (HCR).

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondent: MR.VTM PRASAD, STANDING COUNSEL FOR APSRTC

W.P.NO.19026 OF 2002

Between:

1.D.Narsimha son of Venkata Ramulu
aged 29 yrs, unemployee, resident of
T.Gouraram village, Dindi mandal,
Nalgonda district.

2.B.Venkataiah, son of Kondaiah,
aged 31 yrs,unemployee, resident of
Palwayee village, Gurrampud mandal,
Nalgonda district.

3.N.Seenaiah son of Venkataiah
aged 25 yrs, resident of Kangal
V and M, Nalgonda district.

----PETITIONERS

AND

The Regional Manager
APSRTC. Hyderabad City Region, JBS, Picket,
Secunderabad,

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not considering the petitioners candidature to the post of Driver Gr.11 in Hyderabad city Region (HCR) and cancelling their selections on the ground that the petitioners not responded to the call (News paper) of APSRTC Management to work in October/November, 2001 is as bad, arbitrary, illegal unjust and violation of the principles of

natural justice and consequently direct the respondent to consider the case of the petitioners for appointment of Driver Gr.11 in APSRTC, Hyderabad City Region (HCR).

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondent: MR.VTM PRASAD, STANDING COUNSEL FOR APSRTC

W.P.NO.11777 OF 2003

Between:

1.Kamaluddin son of Mohd.Fareeduddin,
37 yrs, resident of H.No.19-87,
Badepalli Jadcherla, Mahaboobnagar district.

2.D.Swamy son of Rajaiah resident of
Zoopaka Huzurabad mandal,Karimnagar district.

----PETITIONERS

AND

The Regional Manager
APSRTC. Hyderabad City Region, JBS, Picket,
Secunderabad,

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not considering the petitioners appointment to the post of Driver Gr.11 in APSRTC Hyderabad city Region on the ground that the petitioners not responded to the call of APSRTC in the strike period as bad, arbitrary, illegal unjust and violation of the principles of natural justice and consequently direct the respondent to appoint the petitioner as Driver Gr.11 in APSRTC, Hyderabad City Region (HCR).

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondent: MR.VTM PRASAD, STANDING COUNSEL FOR APSRTC

W.P.NO.4836 OF 2004

Between:

P.Yadaiah sonof Balaiah, Hindu,

aged about 31 yrs, resident of
8-16-43,Mythrinagar, LB nagar, RR district.

----PETITIONERS

AND

The Regional Manager
APSRTC. Hyderabad City Region, JBS, Picket,
Secunderabad,

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not considering the petitioners candidature to the post of Driver Gr.11 in Hyderabad city Region (HCR) and cancelling their selections on the ground that the petitioners not responded to the call (News paper) of APSRTC Management to work in October/November, 2001 is as bad, arbitrary, illegal unjust and violation of the principles of natural justice and consequently direct the respondent to consider the case of the petitioners for appointment of Driver Gr.11 in APSRTC, Hyderabad City Region (HCR).

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondent: MR.VTM PRASAD, STANDING COUNSEL

W.P.NO.4849 OF 2004

Between:

Md.Javed Pasha, son of Mohd.Ali,
aged about 33yrs,resident of 18-1-111/42,
Ex-Servicemen colony, Uppuguda, Hyderabad.

----PETITIONERS

AND

The Regional Manager
APSRTC. Hyderabad City Region, JBS, Picket,
Secunderabad,

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not considering the petitioners candidature to the post of Driver Gr.11 in Hyderabad city Region (HCR) and cancelling their selections on the ground that

the petitioners not responded to the call (News paper) of APSRTC Management to work in October/November, 2001 is as bad, arbitrary, illegal unjust and violation of the principles of natural justice and consequently direct the respondent to consider the case of the petitioners for appointment of Driver Gr.11 in APSRTC, Hyderabad City Region (HCR).

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondent: MR.VTM PRASAD, STANDING COUNSEL

W.P.NO.4863 OF 2004

Between:

K.Jayamma d/o K.Thimmayya,
wife of R.Nageswara Rao,Hindu,
aged 32 years, residentof Surapuram
village, Achampet mandal, Mahaboobnagar
district.

----PETITIONERS

AND

The Regional Manager
APSRTC. Hyderabad City Region, JBS, Picket,
Secunderabad,

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not considering the petitioners candidature to the post of Driver Gr.11 in Hyderabad city Region (HCR) and cancelling their selections on the ground that the petitioners not responded to the call (News paper) of APSRTC Management to work in October/November, 2001 is as bad, arbitrary, illegal unjust and violation of the principles of natural justice and consequently direct the respondent to consider the case of the petitioners for appointment of Driver Gr.11 in APSRTC, Hyderabad City Region (HCR).

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondent: MR.VTM PRASAD, STANDING COUNSEL

The Court made the following:

COMMON ORDER

Heard the learned counsel for the petitioner and Sri V.T.M. Prasad, learned Standing Counsel appearing on behalf of the respondent corporation.

In these matters, it is represented by either side that the question involved in these Writ Petitions is squarely covered by the Judgment in W.P.No.19873 of 2004, dated 01-11-2004.

Following the same, these Writ Petitions are disposed of with a direction to examine the cases of the petitioners also for appointment, irrespective of the fact that they failed to attend to duty during the strike period in pursuance of the paper notification given by the respondent and pass appropriate orders regarding their request for appointment in pursuance of the selection made in 1999 within two months from the date of receipt of a copy of this order. It is needless to mention that the impugned orders shall stand set aside and it is open for the respondents to consider their case afresh as directed above. No costs.

09-12-2004.

Hsd

Asst. Registrar

To

1.The Regional Manager, APSRTC,

Hyderabad City Region, JBS,

Picket, Secunderabad.

2.2 C.D.copies.